

Application No. 10/749,963
Amendment Dated December 13, 2007
Reply to Office Action of September 13, 2007

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments and the arguments set forth fully below. In the Office Action mailed September 13, 2007, claims 1-19 have been rejected. In response, the Applicant has submitted the following remarks and amended claim 1. Accordingly, claims 1-19 are still pending. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

Examiner Interview Summary

On December 7, 2007, the undersigned and Examiner Tammie Heller conducted a telephone interview. The Applicants wish to thank the Examiner for her kind attention and willingness to conduct the interview. During the interview, the Examiner and the undersigned discussed the rejection of the independent claim 1 with respect to the Dempsey and Bui references. While no agreement was reached with respect to the independent claim 1, the Applicants have made the above amendments according to the discussions of the December 7, 2007 interview.

Rejections Under 35 U.S.C. §102

Claims 1-19 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,057,758 to Dempsey et al. (hereinafter Dempsey). The Applicant respectfully disagrees with this rejection.

The Applicants have amended the independent claim 1 to further clarify and distinguish the present invention over the Dempsey reference. Specifically, the Applicants respectfully submit that Dempsey does not teach a single portable electronic device that includes a processing circuit with a network transceiver, a cellular transceiver, and a short range link transceiver, as well as an identification device and a user input device. Such a device having all of these functionalities and structures is not taught by Dempsey.

Claims 1-14, 17 and 19 have also been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003/0140928 to Bui et al. (hereinafter Bui). Bui teaches a system and method for providing medical treatments such as medication to a patient. The administration of the medication may include the use of a infusion pump, and may be implemented in a variety of ways including as a computer program. The Bui reference, as discussed above with respect to the Dempsey reference, also does not teach a single portable device having a processing server with a network transceiver, a cellular transceiver and a short range link transceiver, an identification device, and a user input device. As discussed above with respect to the Dempsey reference, the Bui reference likewise does not teach such structure and functionality.

Claim 1 is directed to a portable electronic device for use in a medical monitoring system, wherein the medical monitoring system generates notification messages indicating that a patient being monitored may have a condition that requires attention and wirelessly transfers the notification messages to the portable electronic device, the portable electronic device comprising: a processing circuit having: a network transceiver configured to receive the notification messages from the medical monitoring system indicating that the patient being monitored may have a condition that requires attention; a cellular transceiver configured such that the device can send cellular voice calls; a short-range link transceiver configured such that the device can communicate with the second device; and an identification device coupled to the processing circuit, the identification device configured to receive a set of input data from a plurality of information sources and further configured such that the set of input data is not received from the transceiver, wherein each of the plurality of information sources has a unique protocol, the set of input data is representative of an identity of a subject of interest, and the plurality of information sources are configured at a distance from the identification device; and a user input device coupled to the processing circuit. As discussed above, neither Dempsey nor Bui teach such structure or functionality. For at least these reasons, the independent claim 1 is allowable over the teachings of Dempsey.

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Claims 2-19 are dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Dempsey and Bui. Accordingly, claims 2-19 are also allowable as being dependent upon an allowable base claim.

For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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